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Message Text

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67
ORIGIN ORM-02

INFO OCT-01 EUR-12 NEA-10 IO-13 ISO-00 DHA-02 VO-03 SCA-01

CIAE-00 FBIE-00 INSE-00 NSAE-00 SSO-00 SS-15 L-03

PRS-01 NSC-05 NSCE-00 INR-07 INRE-00 DODE-00 SY-05

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DRAFTED BY D/HA/ORM:LARTHUR:CML
APPROVED BY D/HA - SCLOWMAN
NEA/AFN - DJAMESON
EUR/EE - KBROWN (INFO)
---------- 064352
O P 102101Z SEP 76
FM SECSTATE WASHDC
TO AMEMBASSY ALGIERS IMMEDIATE
INFO USMISSION GENEVA PRIORITY
AMEMBASSY PARIS
AMEMBASSY PRAGUE

C O N F I D E N T I A L STATE 224474

E.O. 11652: GDS

TAGS: SREF, CZ, AG(PANEK, ZDENEK), (KYSILKA, BOHUMIL)

SUBJECT: CZECH ASYLUM SEEKERS

REF: (A) ALGIERS 2167; (B) ALGIERS 1855 (NOTAL); (C)
STATE 184206

1. PRELIMINARY NAMECHECKS REVEAL NO DEROGATORY INFORMA-
TION.

2. WE HAVE CONSISTENTLY HELD THE OPINION THAT ASYLUM IS
THE RIGHT AND RESPONSIBILITY OF THE COUNTRY IN WHICH THE
REQUEST IS MADE. SINCE ALGERIA IS A SIGNATORY TO CON-
VENTION AND PROTOCOL RELATING TO STATUS OF REFUGEES, IT
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HAS CERTAIN INTERNATIONAL TREATY OBLIGATIONS CONCERNING

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THE TREATMENT OF REFUGEES, INCLUDING THE PROHIBITION AGAINST THE EXPULSION OF A REFUGEE TO A COUNTRY WHERE HIS LIFE OR FREEDOM IS THREATENED BECAUSE OF RACE, RELIGION, NATIONALITY, MEMBERSHIP IN A PARTICULAR SOCIAL GROUP, OR POLITICAL OPINION. AS STATED REFTEL C, EMBASSY IS IN BEST POSITION TO JUDGE WHETHER GOA SHOULD BE INFORMED OF REQUESTS FOR ASYLUM.

3. WE PREFER TO HAVE SUCH APPLICANTS FIRMLY ESTABLISHED IN INTERNATIONAL REFUGEE CHANNELS, ESPECIALLY IN

CASES WHERE DOUBT EXISTS AS TO WHETHER HOST COUNTRY WOULD BE LIKELY TO HONOR ITS COMMITMENTS UNDER THE CONVENTION AND/OR PROTOCOL. THE UNHCR CAN SEEK TO OBTAIN GUARANTEES AGAINST FORCIBLE REPATRIATION OF A REFUGEE TO HIS COUNTRY OF NATIONALITY AND CAN BE EXTREMELY HELPFUL IN ARRANGING THIRD COUNTRY RESETTLEMENT, WHICH INCLUDES POSSIBILITY OF CONDITIONAL ENTRY APPLICATIONS IN THIS CASE. UNHCR CAN ALSO BE HELPFUL IN MAKING NECESSARY TRAVEL ARRANGEMENTS FOR SUCH RESETTLEMENT.

4. IT APPEARS THAT PANEK AND KYSILKA ARE ELIGIBLE TO APPLY FOR 7TH PREFERENCE CONDITIONAL ENTRY. HOWEVER, ONWARD REFERRAL TO CONDITIONAL ENTRY PROCESSING POST DOES NOT GUARANTEE THAT APPLICATIONS WOULD BE APPROVED. BY HAVING THEM FIRMLY ESTABLISHED IN UNHCR REFUGEE CHANNELS, UNHCR WILL CONTINUE TO SEEK OTHER THIRD COUNTRY PLACEMENT FOR THEM IF CONDITIONAL ENTRY APPLICATIONS ARE NOT APPROVED AND THE COUNTRY WHERE SUCH APPLICATIONS ARE SUBMITTED REFUSES TO ALLOW THEM TO REMAIN.

5. IF EMBASSY BELIEVES IT PRACTICAL, PANEK AND KYSILKA CAN BE ADVISED TO PROCEED ON THEIR OWN TO CONDITIONAL ENTRY PROCESSING POST IN WESTERN EUROPE. IF NOT, UNHCR GENEVA SHOULD BE APPRISED OF CIRCUMSTANCES OF THIS CASE AND THEIR ASSISTANCE SOUGHT PER PARAS 3 AND 4 ABOVE TO ASSURE THAT APPROPRIATE ASSISTANCE AND SUPPORT RENDERED REFUGEES. PLEASE KEEP DEPT. AND U.S. MISSION GENEVA ADVISED OF STATUS OF THIS CASE. KISSINGER

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TAGS: SREF, CZ, AG, (PANEK, ZDENEK), (KYSILKA, BOHUMIL)
To: ALGIERS
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